



MEMORANDUM

March 18, 2021

To: Energy and Commerce Committee Members and Staff

Fr: Committee on Energy and Commerce Staff

Re: Full Committee Legislative Hearing on “LIFT America: Revitalizing our Nation’s Infrastructure and Economy”

On **Monday, March 22, 2021, at 11 a.m. (EDT) via Cisco Webex online video conferencing**, the Committee on Energy and Commerce will hold a legislative hearing entitled, “LIFT America: Revitalizing our Nation’s Infrastructure and Economy.” The hearing will focus on H.R. 1848, the “Leading Infrastructure for Tomorrow’s America Act” or the “LIFT America Act.”

I. BACKGROUND

In its recently released 2021 Report Card, the American Society of Civil Engineers (ASCE) rated the condition of infrastructure in the United States – grading it as a C-minus on an assessment spanning 17 infrastructure categories.¹ These categories include broadband, water, energy, and other infrastructure within the Committee’s jurisdiction. In particular, the ASCE report highlighted deficiencies in internet access, aging pipeline systems, and electric grid reliability. The ASCE has determined that the United States is spending only half of what is required to bring infrastructure systems up to par, and that there is a \$2.59 trillion spending gap.² ASCE estimates that the United States will lose \$10 trillion in economic growth and more than three million jobs if infrastructure investments are not increased to necessary levels.³ Recognizing the demonstrated need for investment in this sector, the Biden Administration has released the framework for an infrastructure investment plan. President Biden’s “Build Back Better” plan proposes to invest \$7 trillion in infrastructure, housing, education, economic fairness, and health care.⁴

¹ American Society of Civil Engineers (ASCE), *Report Card for America’s Infrastructure* (Mar. 3, 2020) (infrastructurereportcard.org/).

² *U.S. gets ‘C-,’ faces \$2.59 trillion in infrastructure needs over 10 years: report*, Reuters (Mar. 3, 2021).

³ *Potholes, Grid Failures, Aging Tunnels And Bridges: Infrastructure Gets a C-Minus*, NPR (Mar. 3, 2021).

⁴ *Biden’s economic recovery plan, called Build Back Better, would spend over \$7.3 trillion and invest in green infrastructure, health care, and more*, CNBC (Nov. 10, 2020).

On March 11, 2021, all 32 Democratic members of the Committee on Energy and Commerce introduced H.R. 1848, the “Leading Infrastructure for Tomorrow’s America Act” or the “LIFT America Act”.⁵ The legislation proposes to invest more than \$312 billion in clean energy, energy efficiency, drinking water, broadband, and health care infrastructure. This investment would support infrastructure modernization across the country, with the goal of making necessary improvements and creating jobs.

In the 116th Congress, all Democratic members of the Committee introduced H.R. 2741, a previous version of the “LIFT America Act.”⁶ On May 22, 2019, the full Committee held a legislative hearing on that legislation entitled, “LIFT America: Modernizing Our Infrastructure for the Future.”⁷ On July 1, 2020, the House of Representatives passed a revised version of the text of H.R. 2741 as part of H.R. 2, the “Moving Forward Act.”⁸

II. CHANGES TO THE “LIFT AMERICA ACT”

The following provisions have changed since the “LIFT America Act” was introduced in the 116th Congress:

A. Title I – Universal Broadband and Next Generation 9-1-1

- **Digital Equity** – Places new responsibilities on the National Telecommunications and Information Administration (NTIA), including a study on broadband affordability. Authorizes \$60 million for fiscal years (FY) 2022-2026 for a grant program at NTIA to provide states with funding to create digital equity plans, and authorizes an additional \$625 million for FY 2022-2026 for a grant program to address barriers to broadband adoption based on the digital equity plans. Creates and authorizes \$625 million in FY 2022-2026 for a separate competitive grant program to provide funds for community-based entities to address those barriers.
- **Affordability, Remote Learning and Pricing Transparency** – Authorizes \$6 billion for FY 2022-2026 in additional funding for the Emergency Broadband Benefit program at the Federal Communication Commission (FCC), and \$2 billion in additional funding for the Emergency Connectivity Fund to support distance learning for teachers and students in K-12, among other things. Authorizes \$200 million for FY 2022-2026 for grants to states to connect to the National Lifeline Eligibility Verifier and encourages cooperation between the FCC and Department of Agriculture to provide an automated connection between

⁵ The section-by-section summary of H.R. 1848, the “LIFT America Act” may be found [here](#).

⁶ House Committee on Energy and Commerce, *E&C Democrats Introduce Infrastructure Package Aimed at Combating Climate Change, Expanding Broadband Access & Protecting Public Health and the Environment* (May 15, 2019) (press release).

⁷ The memorandum for the 5/22/2019 Full Committee Hearing may be found [here](#).

⁸ Congress.gov, *H.R.2 – Moving Forward Act* (July 1, 2020) (www.congress.gov/bill/116th-congress/house-bill/2).

the Verifier and the SNAP National Clearinghouse. Requires the FCC to collect information regarding broadband pricing and subscriptions.

- **Broadband Infrastructure** – Increases the authorization of funds, from \$40 billion in FY 2020 to nearly \$80 billion for FY 2022-2026, to support broadband infrastructure deployment in unserved, low-tier and mid-tier areas to 100 percent of households in the United States based on the broadband maps produced by the FCC. Projects must be able to deliver speeds of 100 Mbps download and 100 Mbps upload. Also authorizes an additional \$500 million in FY 2022-2026 for the Tribal broadband grant program at the NTIA. Requires the FCC to update its rules to permit Wi-Fi access on school buses as eligible for support under the E-Rate program.
- **Municipal Broadband** – Prohibits state governments from enforcing laws or regulations that inhibit local governments, public-private partnerships, and cooperatives from delivering broadband service.
- **Next Generation 9-1-1** – Increases total authorization of funds ,from \$12 billion for FY 2020-2024 to \$15 billion for FY 2022-2026, and eliminates the 20 percent matching requirement for grant applicants. Establishes a Nationwide Next Generation 9-1-1 Security Operations Center at the 9-1-1 Implementation Coordination Office to serve as a centralized emergency communications cybersecurity center.

B. Title II – Drinking Water Infrastructure

- **Lead Service Line Replacement** – A new section authorizes \$22.5 billion over FY 2022-2026 for drinking water lead service line replacement through the Drinking Water State Revolving Fund (SRF), with priority given to water systems serving disadvantaged communities. Waives state matching requirements, but maintains requirements that funded projects use American-made iron and steel and pay prevailing wages.
- **Assistance for Territories** – Two new sections increase drinking water infrastructure funding available for U.S. territories under the Drinking Water SRF and through a program providing assistance to connect customers to water systems following natural disasters that interrupt their water service.
- **Water System Security and Resilience** – A new section extends the expiring authorization for the Environmental Protection Agency (EPA) program that requires drinking water systems to assess and address their vulnerability to extreme weather and intentional attacks.

C. Title III – Clean Energy Infrastructure

- **HOPE for HOMES** – Adds a workforce training program to the HOMES Act and authorizes \$6.5 billion over FY 2022-2026 for workforce training and rebates for home retrofits.
- **Energy and Water Performance Requirement for Federal Facilities** – Establishes annual targets for federal facilities to improve energy and water use efficiency under the Federal Energy Management Program.

- **Open Back Better** – Authorizes \$20 billion over FY 2022-2026 in funding for projects related to resiliency, energy efficiency, renewable energy, and grid integration at public facilities.
- **Clean Energy and Sustainability Accelerator** – Establishes a nonprofit Clean Energy and Sustainability Accelerator. Authorizes the Accelerator to provide financing to help rapidly deploy technologies to reduce U.S. greenhouse gas (GHG) emissions. Authorizes \$18 billion over FY 2022-2026 for the Accelerator.
- **Dam Safety** – Mandates dam safety and financial viability requirements as part of FERC’s dam licensing process. Directs FERC to hold a technical conference on dam safety. Requires continued communication between FERC and states on dam safety.
- **Electric Vehicle Supply Equipment Rebate Program** – Authorizes \$500 million over FY 2022-2026 to deploy electric vehicle supply equipment (EVSE).
- **Transportation Electrification** – Amends the Energy Independence and Security Act of 2007 (EISA) to include projects facilitating electrification of the transportation sector, projects involving ground support equipment at ports, and projects deploying plug-in electric vehicle charging infrastructure. Reauthorizes the program at \$2 billion per year from FY 2022-2026 for the grants to state and local governments and private entities. Further provides \$2.5 billion each year over the same period for large-scale projects to electrify the transportation sector.
- **Federal Fleets** – Amends section 303 of the Energy Policy Act of 1992 to increase the percent of alternative fueled vehicles acquired in federal agencies’ fleets. Amends the Energy Policy and Conservation Act (EPCA) to direct federal agencies to increase alternative fuel consumption and reduce vehicle GHG emissions.
- **Expanding Access to Electric Vehicles in Underserved and Disadvantaged Communities** – Requires the Secretary of Energy to conduct an assessment and produce a report on the availability, opportunities for additional deployment, and best practices to encourage deployment of electric vehicle charging infrastructure in underserved communities.
- **Ensuring Program Benefits for Underserved and Disadvantaged Communities** – Directs the Secretary of Energy to ensure programs relating to electric vehicles consider the needs of underserved or disadvantaged communities and provide those communities access to electric vehicle infrastructure and clean transportation, as well as improved air quality.
- **Port Electrification and Decarbonization** – Establishes an EPA grant program to reduce GHG emissions and other forms of air pollution at ports. Authorizes \$3.8 billion over FY 2022-2026 to decarbonize and electrify port infrastructure and operations.
- **Pilot Program for the Electrification of Certain Refrigerated Vehicles** – Authorizes \$10 million for a pilot program to electrify diesel-powered transport refrigeration units used to deliver and store perishable goods and medications.
- **Domestic Manufacturing Conversion Grant Program** – Reauthorizes Department of Energy (DOE) financing programs to help create and expand domestic manufacturing of advanced vehicles and advanced vehicle components. Authorizes \$2.5 billion per year from FY 2022-2026.

- **Advanced Technology Vehicles Manufacturing Incentive Program** – Amends EISA to modify and broaden the definition of an “Advanced Technology Vehicle.” Expands and prioritizes eligibility for ultra-efficient components. Modernizes the evaluation of a loan applicant’s prospects of repaying a loan under the program. Reauthorizes the program from FY 2022-2026.

D. Title IV – Health Care Infrastructure

- **Core Public Health Infrastructure** – Increases the authorization of funds from \$2 billion for FY 2020-2024 to \$6 billion for FY 2022-2026 for state, local, tribal, and territorial health departments core public health infrastructure needs. Also increases the authorization of funds from \$350 million for FY 2020-2024 to \$1 billion for FY 2022-2026 for the Centers for Disease Control and Prevention (CDC) for addressing core public health infrastructure needs.
- **Hospital Infrastructure** – Increases the reauthorization of funds for the Hill-Burton program from \$400 million for each FY 2020-2024 to \$2 billion for each FY 2022-2026. Updates the priority grantees awarded under the section to include public health emergency preparedness.
- **Pilot Program to Improve Laboratory Infrastructure** – Increases the authorization of funds from \$100 million to remain available until expended to \$4.5 billion for FY 2022-2026. Funds must be used to improve SARS-CoV-2 and COVID-19 testing and response activities.
- **Tribal Infrastructure Funding** – Increases the authorization of funds from \$200 million for each FY 2020-2024 to \$5 billion for FY 2022-2026.
- **Pilot Program to Improve Community Based Care Infrastructure** – Increases the authorization of funds from \$100 million to remain available until expended to \$500 million to be authorized for FY 2022-2026.
- **Community Health Center Capital Project Funding** – A new section authorizes \$10 billion for FY 2022-2026 for capital projects for the community health center program under Section 330 of the Public Health Service Act. Directs the Secretary of Health and Human Services to expedite the award of grants to ensure that some awards are made during FY 2022.
- **Energy Efficiency** – A new section requires that as a condition of funding under Sections 40003, 40004, 40005, 40006, and 40007, a grant recipient shall ensure that the project increases (1) energy efficiency; (2) energy resilience; or (3) the use of renewable energy.

E. Title V – Brownfields Redevelopment

No changes.

III. WITNESSES

The following witnesses have been invited to testify:

The Honorable Ernest J. Moniz

President and Chief Executive Officer, Energy Futures Initiatives
Former Secretary, U.S. Department of Energy

Tom Frieden, M.D., M.P.H.

President and CEO, Resolve to Save Lives, an initiative of Vital Strategies
Former Director, Centers for Disease Control and Prevention

The Honorable Michael O’Rielly

Former Commissioner, Federal Communications Commission
Principal, MPORielly Consulting, LLC

The Honorable Tom Wheeler

Visiting Fellow, Brookings Institution
Senior Fellow, Harvard Kennedy School
Former Chairman, Federal Communication Commission